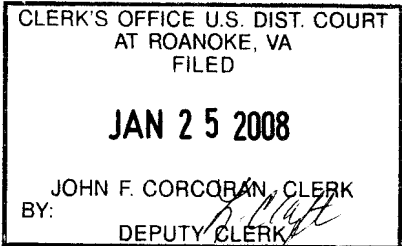


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



DAVID ALLEN DAY,)	
)	
Petitioner,)	Civil Action No. 7:07-cv-00376
)	
v.)	<u>FINAL ORDER</u>
)	
UNITED STATES OF AMERICA,)	By: Hon. James C. Turk
)	Senior United States District Judge
Respondent.)	

In accordance with the written memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the motion to dismiss is **GRANTED**, the motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED**, and this action is stricken from the active docket of this court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to counsel of record for the parties.

ENTER: This 25th day of January, 2008.

[Signature]

Senior United States District Judge